

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

DEREK JOHNSON, personal representative
of KELLY CONRAD GREEN II, deceased;
KELLY CONRAD GREEN and SANDY PULVER,
Plaintiffs,

vs. No. 6:13-cv-01855-TC

CORIZON HEALTH, INC., a
Tennessee Corporation; LANE
COUNTY, an Oregon county; DR.
CARL KELDIE, an individual; DR.
JOE PASTOR, an individual; BECKY
PINNEY, an individual; VICKI
THOMAS, an individual; KIRSTIN WHITE,

(caption continued next page)

VIDEOTAPED DEPOSITION OF RICHARD HALLWORTH
Taken in behalf of the Plaintiffs

February 11, 2015
Portland, Oregon

Richard Hallworth . 2/11/2015

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1 nursing officer staff, that would, and the
 2 regional medical directors, whatever, I don't
 3 know the specific plans, but there would be
 4 others who were responsible to make sure that
 5 those corrective actions were met.
 6 Q. Have you ever been to Oregon?
 7 A. Yes.
 8 Q. In your job as CEO, did you ever come to Oregon?
 9 A. Never been to Lane but I have been to both
 10 Washington County and Clackamas.
 11 Q. Do you know a woman named Beth Kutscher,
 12 K-U-T-S-C-H-E-R?
 13 A. That name does not sound familiar to me.
 14 Q. Do you recall being interviewed by her for Modern
 15 Healthcare in August of 2013?
 16 A. Oh, okay. Kutscher, I believe the name is. Yes.
 17 Yes, I don't remember the specifics of the
 18 interview, but yes.
 19 Q. Do you know the publication Modern Healthcare?
 20 A. Yes, I do.
 21 Q. What is it?
 22 A. It's a trade publication for healthcare, on the
 23 healthcare industry.
 24 Q. And who reads it?
 25 A. I don't know the subscribership. It's hospitals,

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1 healthcare executives, healthcare providers. I
 2 don't know their full readership. I never
 3 subscribed to the magazine personally, but I have
 4 seen it many times over the years.
 5 Q. Do you recall being asked questions by
 6 Ms. Kutscher about the litigation history of
 7 Corizon and Prison Health Services?
 8 A. I don't recall that line of questioning.
 9 Q. Did you tell the reporter, quote, we get sued a
 10 lot, but 95 percent or 97 percent are
 11 self-represented cases?"
 12 A. If that's the way I was quoted, I'm sure I said
 13 it. That doesn't sound -- I mean, that sounds
 14 like something I would have said. But I don't
 15 recall that specific question or know that
 16 answer.
 17 Q. Is that your understanding, that during your
 18 years at Prison Health Services and Corizon that
 19 you would get, that the company would get sued a
 20 lot, but 95 to 97 percent were by people that
 21 didn't have lawyers?
 22 A. Yes.
 23 Q. And what do you base that statement on? What do
 24 you base that knowledge on?
 25 A. There are reports that I would get on a periodic

1 basis of the claims that are filed against the
 2 company, and the pro se cases, which are the
 3 self-represented cases, would make up the
 4 majority of those, of those cases.
 5 Q. In fact, it was your understanding they made up
 6 over 95 percent of the cases?
 7 A. Yes.
 8 Q. Did you also tell the reporter that, Kutscher,
 9 that these cases were usually settled for an
 10 average of less than fifty dollars?
 11 A. Yes. That sounds like something I would have
 12 said.
 13 Q. Because that is your understanding?
 14 A. Yes.
 15 Q. As the CEO of Corizon?
 16 A. Yes. We monitor those pro se cases to make sure,
 17 if there is anything that is of legitimate
 18 concern, and judging by the payouts on those,
 19 most of those are, were not of any significance.
 20 Q. Did you also tell the reporter that, quote, the
 21 vast majority of cases are groundless, close
 22 quote, that are filed against Corizon?
 23 A. That is true.
 24 Q. What did you base that statement on?
 25 A. Based on the closure rate of those cases that

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1 there is finding of, they are either dismissed by
 2 the courts or once we put our defense, there is
 3 no settlement.
 4 Q. Did you read the article in Modern Healthcare
 5 after you were interviewed?
 6 A. I'm sure I did.
 7 Q. And did you, do you recall thinking there was
 8 anything inaccurate in what Ms. Kutscher wrote
 9 about her interview with you?
 10 MR. DAIGLE: Object to the form. Go ahead.
 11 THE WITNESS: Okay. I don't recall the
 12 specifics of that one. I'm not having a visceral
 13 reaction to it. So, I have been interviewed many
 14 times over the years and very rarely is the
 15 reporter 100 percent accurate. But I didn't
 16 think there was a, I don't recall there being any
 17 gross misstatement of what I said or what I
 18 intended to say during that interview.
 19 BY MR. ROSENTHAL:
 20 Q. Now, as CEO of Corizon, you would take a look at
 21 the quarterly and annual financial statements of
 22 the company, correct?
 23 A. Yes.
 24 Q. And given your detailed accounting background,
 25 you would understand those documents, correct?

(Pages 54 to 57)

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